

FILED

UNITED STATES COURT OF APPEALS

APR 12 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

SHAVONDA HAWKINS, on behalf of
herself and all others similarly situated,

Plaintiff-Appellant,

v.

THE KROGER COMPANY,

Defendant-Appellee.

No. 16-55532

D.C. No.

3:15-cv-02320-JM-BLM

Southern District of California,
San Diego

ORDER

Before: NGUYEN, Circuit Judge, and BLOCK,* District Judge.

The parties are directed to file supplemental briefs that address what effect the June 18, 2018 expiration of the safe harbor provided by the Food and Drug Administration in its Final Determination Regarding Partially Hydrogenated Oils will have on plaintiff's requested claims and remedies. *See* 80 Fed. Reg. 34,650-51 (June 17, 2015).

The briefs, limited to a single ten page brief for each party, are to be filed simultaneously with the Clerk and served upon counsel for the other parties on or before June 1, 2018.

* The Honorable Frederic Block, United States District Judge for the Eastern District of New York, sitting by designation.